

REMARKS

In response to the Office Action dated September 02, 2004, please consider the following amendments and remarks made in a good faith attempt to move prosecution of this application forward to a proper allowance of the claims.

Please note that any and all fees associated with this response, including any applicable extension fees under 37 C.F.R. 1.136, and any fees for newly presented claims, may be charged to the deposit account of the undersigned, **Account No. 50-0894**.

Applicant here requests such extensions under 37 C.F.R. 1.136 as may be necessary to render this response timely.

Claim Rejections

Claims 4 - 7 stand rejected under 35 U.S.C. 103(a) in view of Mak et al. (US 2002/0198136 A1). Mak's invention requires some sort of sustained delivery of the medicament at issue in order to treat the disease of vulvodynia. In contrast, the present invention teaches a specific, controlled dosage of said medicament to attain the same result. Applicant submits that to any female sufferer of this disease, this would be considered a great leap forward.

Applicant urges the Examiner to reconsider the position that the break through of the present invention—a specific dosage of the medicament at issue, administered once a day—is obvious considering the art cited, which teaches “continuous delivery.” Whether the “continuous delivery” is a “frequent administration of said compound,” or “delivery of said compound in longer period of time by controlled or sustained delivery system or device,”

as suggested by Examiner, it is an added burden and expense upon the vulvodynia sufferer. In addition, it must be realized that the more sustained the administration of any medication, the higher the risk of some sort of side effect. One of the great leaps forward of the instant invention is just such a minimization of side effects.

DRAWING AMENDMENTS

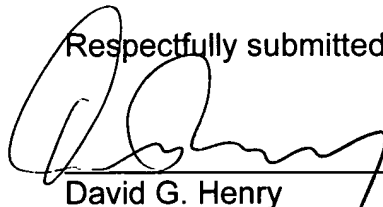
SPECIFICATION AMENDMENTS

CLAIM AMENDMENTS

In the Claims: (must indicate status of each claim: original, currently amended, canceled, withdrawn, new, previously presented, and not entered).- only "currently amended" or "withdrawn" claims that are being amended, may include markings.

Applicant respectfully submits, that in view of the above, claims 4 - 7 are in condition for allowance. Reconsideration and withdrawal of the rejections are hereby requested, and allowance of Claims 4 - 7 at an early date is solicited. If impediments to allowance of the claims remain and a telephone conference between the undersigned and the examiner would help remove such impediments in the opinion of the Examiner, a telephone conference is respectfully requested.

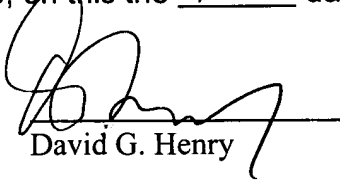
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Henry', is written over a horizontal line.

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP NON-FEE AMENDMENT, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on this the 12 day of October, 2004.


David G. Henry